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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

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UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  AAA BAIL BONDS 1260 South 1200 West, Suite 1 Marriot Slaterville, UT 84404 License # 97856  Respondent.	<b>STIPULATION AND ORDER</b>  Docket No. 2015-060 BB  Enf. Case No. 3621  Mark Kleinfeld Administrative Law Judge
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**STIPULATION**

The Utah Insurance Department ("Department"), by and through its legal counsel, and AAA Bail Bonds ("Respondent"), by and through its owner, Wayne Carlos, hereby stipulate and agree as follows:

1. Respondent is an active licensed limited line producer with the qualification of bail, and holds license number 97856. Respondent's business address is 1260 South 1200 West, Suite 1, Ogden, UT 84404-5412.
2. The Department has jurisdiction over the parties and subject matter of this

administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of its right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and Order, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

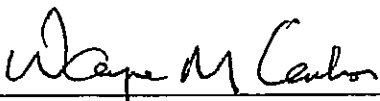
7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.


9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

DATED this 8 day of June, 2015.

  
\_\_\_\_\_  
WAYNE CARLOS, Owner  
AAA BAIL BONDS

DATED this 15<sup>th</sup> day of June, 2015.

  
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GARY D. JOSEPHSON  
Assistant Attorney General  
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. On February 29, 2015, Respondent was notified by letter that an audit would be conducted by the Department. The letter included audit request items that would need to be presented to the examiner, including a copy of bank statements regarding the Trust Account and a copy of the Trust Account ledger.
2. Respondent provided the requested items for examination, and also provided a copy of a letter dated August 21, 2014, to the Department where Respondent self-reported a Trust Account violation that had occurred in July and August of 2014.
3. On July 22, 2014, a check was written to return trust monies of \$3,020.00 to a Mr. Overholt. On July 25, 2014, a check was written to return trust monies of \$3,850.00 to a Mr.

and Mrs. Jensen. On or about August 1, 2014, Respondent realized that these checks were written for the Utah Association of Professional Bondsmen and Agents (UAPBA) and not from Respondent's Trust Account, as they should have been.

4. On August 6, 2014, Respondent issued a check from Respondent's Trust Account in the amount of \$6,870.00 to reimburse UAPBA.

5. The Respondent has had no prior administrative actions taken against it, and cooperated fully with the audit.

6. The Division and Respondent have agreed to an administrative forfeiture in the amount of \$500.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

#### **CONCLUSIONS OF LAW**

1. Utah Code Section 31A-23a-409 outlines the trust obligation for money collected. It mandates certain actions, and prohibits others. 2 Respondent violated the above provision when it issued two checks for repayments of trust monies not from the Trust Account, but from a professional association checking account.

2. Respondent violated the above provision when it issued two checks for repayment of trust monies, not from the Trust Account, but from a professional association checking account.

3. The agreed upon administrative forfeiture of \$500.00 is appropriate under the circumstances.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the

Presiding Officer herewith enters the following Order:


**ORDER**

**IT IS HEREBY ORDERED:**

Respondent AAA Bail Bonds is hereby assessed an administrative forfeiture in the amount of \$500.00 to be paid to the Department within 30 days of the date of this Order.

DATED this 15 day of June, 2015.

TODD E. KISER  
Insurance Commissioner

A handwritten signature in black ink, appearing to read 'Mark E. Kleinfeld', is written over a horizontal line.

MARK E. KLEINFELD  
Administrative Law Judge  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3800

**NOTIFICATION TO RESPONDENT**

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on this date, a true and correct copy of the Stipulation and Order was mailed, postage prepaid, to the following:

**AAA Bail Bonds  
c/o WAYNE CARLOS  
1260 SOUTH 1200 WEST, SUITE 1  
MARRIOTT SLATERVILLE, UT 84404**

DATED this 16 day of June, 2015.

  
LINDA HARDY  
UTAH INSURANCE DEPARTMENT  
STATE OFFICE BUILDING, ROOM 311

**UTAH  
Invoice**

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Printed Date: June 15, 2015

Invoice Date: June 15, 2015  
Balance Due: \$500.00  
Due Date: July 20, 2015  
Invoice ID: 774007

AAA BAIL BONDS  
1260 S 1200 W STE 1  
MARRIOT SLATERVILLE UT 84404

Item Description	Amount
Bail Bond Forfeitures and Fines	\$500.00
<b>Original Amount Due</b>	<b>\$500.00</b>
<b>Payments Received</b>	
	<b>Balance Due</b>

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**UTAH  
Invoice**

Printed Date: June 15, 2015

Invoice Date: June 15, 2015  
Balance Due: \$500.00  
Due Date: July 20, 2015  
Invoice ID: 774007

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

Detach and Return with Payment